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(1649)

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Saigon 16004 10-6-71

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ACTION EA-14

INFO OCT-01 IO-11 CIAE-00 DODE-00 PM-06 H-02 INR-06 L-03

NSAE-00 NSC-10 P-03 RSC-01 PRS-01 SS-14 USIA-12 UPW-01

RSR-01 /086 W

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R 061105Z OCT 71
FM AMEMBASSY SAIGON
TO SECSTATE WASHDC 0810
INFO BANGKOK 5490
CINCPAC
DANANG 5591
USDEL FRANCE
PHNOM PENH 1962
VIENTIANE 9271

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY [signature] DATE 1/26/82
RDS☐or XDS☐EXT. DATE _____
TS AUTH. _____ REASON(S) _____
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED☑ RELEASABLE☑
RELEASE DENIED☐
PA or FOI EXEMPTIONS _____

C O N F I D E N T I A L SAIGON 16004

CINCPAC FOR POLAD

SUBJ: COURT TEST OF PRESIDENTIAL ELECTION

REF: SAIGON 15463

1. HOA HAO POLITICIAN TRINH QUOC KHANH, CHAIRMAN OF THE KY-SPONSORED PEOPLE'S FORCE AGAINST DICTORSHIP, TOLD US AFTERNOON OCTOBER 6 HE AND OTHER FORCE LEADERS HAD JUST FILED A COMPLAINT WITH THE SUPREME COURT ON THE PRESIDENTIAL ELECTION. KHANH COULD NOT RECALL ALL DETAILS OF THE COMPLAINT, BUT SAID IT MAINTAINED THE ONE-SLATE ELECTION WAS UNCONSTITUTIONAL AND ILLEGAL BECAUSE IT DEPRIVED THE CITIZEN OF HIS RIGHT TO CAST A MEANINGFUL VOTE, NO CENTRAL ELECTION CAMPAIGN COMMITTEE HAD BEEN ESTABLISHED AS CALLED FOR BY THE LAW, AND THE ELECTION INFORMATION CENTER HAD ANNOUNCED THE RESULTS INSTEAD OF THE SUPREME COURT AS CALLED FOR IN ARTICLE 33 OF THE LAW. KHANH ALSO SAID THE COMPLAINT INCLUDED THE POINT MADE BY BUI NHUNG IN THE PENDING CASE FILED WITH THE SUPREME COURT (REFTEL). NAMELY THAT VARIOUS POINTS IN THE CONSTITUTION AND THE LAW INDICATE CLEARLY THAT A CONTESTED ELECTION WAS CONTEMPLATED

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BY THOSE DOCUMENTS.

2. KHANH WAS ACCOMPANIED BY NGUYEN NGOC LOI, CHAIRMAN OF THE CONFEDERATION OF FREE TRADE UNIONS (AND FATHER OF KY ASSOCIATE GENERAL NGUYEN NGOC LOAN), AND SAIGON CITY COUNCILLORS DONG VAN LONG AND HA THE RUYET.

3. IN DISCUSSION WITH EMBOFF KHANH SAID FORCE WOULD CONDUCT ONLY LEGAL AND NON-VIOLENT ACTIVITIES BETWEEN NOW AND OCTOBER 31, IN PARTICULAR FILING THE COURT SUIT AND GATHERING UNCLIPPED VOTER CARDS IN AN EFFORT TO PROVE THE OFFICIALLY-ANNOUNCED ELECTION RESULTS WERE INFLATED. INTERESTINGLY, KHANH ALSO TOOK PAINS TO EMPHASIZE THE FORCE WAS NOT CONTROLLED BY KY.
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